

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 18-0138V

Filed: May 28, 2019

UNPUBLISHED

STEVEN STREETER,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Influenza (Flu) Vaccine;
Guillain-Barre Syndrome (GBS)

Patricia Ann Finn, Patricia Finn, P.C., Nanuet, NY, for petitioner.

Mollie Danielle Gorney, U.S. Department of Justice, Washington, DC, for respondent.

RULING ON ENTITLEMENT¹

Dorsey, Chief Special Master:

On January 29, 2018, Steven Streeter (“petitioner”) filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*,² (the “Vaccine Act”). Petitioner alleges that he received an influenza (“flu”) vaccine on January 19, 2016, and subsequently suffered from Guillain-Barré syndrome (“GBS”). Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On May 28, 2019, respondent filed a combined Rule 4(c) report and Proffer on Damages in which he concedes that petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report/Proffer at 1. Specifically, respondent states that

¹ The undersigned intends to post this ruling on the United States Court of Federal Claims' website. **This means the ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, the undersigned agrees that the identified material fits within this definition, the undersigned will redact such material from public access. Because this unpublished ruling contains a reasoned explanation for the action in this case, undersigned is required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services).

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755.

“[b]ased on the medical records . . . petitioner has satisfied the criteria set forth in the revised Vaccine Injury Table and the Qualifications and Aids to Interpretation, which afford petitioners a presumption of causation if onset of GBS occurs between three and forty-two days after receipt of a seasonal flu vaccination and there is no apparent alternative cause.” *Id.* at 4. Respondent further agrees that the medical records demonstrate that petitioner has experienced the residual effects of his GBS for more than six months and therefore, has satisfied all legal prerequisites for compensation under the Act. *Id.*

In view of respondent’s position and the evidence of record, the undersigned finds that petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Nora Beth Dorsey

Nora Beth Dorsey
Chief Special Master